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MEMORANDUM FOR THE RECORD

SUBJECT: Meeting with Staff of Subcommittee on Civil Service
Regarding Agency Implementation of Former Spouse
Legislation

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1. Today, [] and the undersigned met with Andrea Nelson, staffer on the Civil Service Subcommittee, and Bernard Raimon from the House Permanent Select Committee on Intelligence to discuss Agency implementation of former spouse legislation. The meeting was requested by Nelson who originally explained that she was interested because the staff was looking into similar legislation affecting the Office of Personnel Management. Raimo, who I had informed of the meeting, also originally advised that he was not interested in attending. He did show after he was invited by Nelson. I later learned from Raimo that he was under the impression that Nelson was checking up on how the Agency and State were implementing the legislation since "all had been quiet", i.e. the Civil Service Subcommittee had received no recent complaints. Raimo also offered that Nelson was integrally involved in the the 1982 legislation and was trying to keep track of more recent legislative changes. I subsequently spoke Nelson, who apologized for the confusion, but confirmed what Raimo told me.

2. While all contributed to the briefing, the basic points made were:

--The Agency has 5 officers assigned to processing former spouse claims.

--The biggest problem faced was notifying former spouses who became eligible. The Agency had made several public announcements through various internal and external media. Nelson and Raimo concluded that we needed to use more widely circulated public media to reach former spouses. They suggested the The Legal Times and Mike Causey in the Washington Post. We objected to Causey.

--There are about 200 "prospective cases" currently open and between 75 and 80 cases of former spouses actually collecting annuities.

-- There are no major problems in processing

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claims. The biggest problem is locating potential former spouse annuitants.

--While we have some thoughts about legislation for modifying former spouse legislation, these proposals are still in review and will be provided to the oversight Committees in the future. We have thought about changing some parts to be more closely approximate the Civil Service laws, but no current plans exist for asking for such legislative changes.

3. As a result of the meeting we made three commitments:

--We will provide a copy of the Washington Post classified advertise announcing the 1987 changes in the former spouse legislation.

--We will provide the most recent statistics on the number of cases in process and the number on former spouses we are paying.

--We will consider publishing an announcement in The Legal Times. We also agreed that we would publish another announcement as the date for expiration of the various parts of the former spouse legislation draws near.

4. Both Nelson and Raimo reported that they both thought the Agency had the processing under control and that neither had received any complaints. Nelson cautioned that an attempt to remove the entitlement provisions in the law would not be met favorably. She reported that OPM had experienced serious legal problems administering the law which contained no entitlement provisions. Nelson also informed that Ackerman and others are interested in sponsoring legislation next year which would remove the remarriage restriction in the current law. Other than that kind of change the Members were satisfied with existing law.

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